

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tsutomu INOUE et al.

Application No.: New Rule 53(b) Divisional of
U.S. Patent Application No. 10/208,749

Filed: March 10, 2004

Docket No.: 113367.01

For: PROBE OPENING FABRICATING APPARATUS, AND NEAR-FIELD OPTICAL
MICROSCOPE USING THE SAME

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- 2. The references were cited by or submitted to the Office in parent application No. 10/208,749, filed August 1, 2002, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

Respectfully submitted,



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| Form PTO-1449 (REV. 8-83) | | US Dept. of Commerce PATENT & TRADEMARK OFFICE | | ATTY DOCKET NO. 113367.01 | | APPLICATION NO. New Rule 53(b) Divisional of U.S. Patent Application No. 10/208,749 | |
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| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | | | APPLICANT(S) Tsutomu INOUE et al. | | | |
| | | | | FILING DATE March 10, 2004 | | GROUP | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | | CLASS | SUB CLASS |
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| Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |